

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 99-6916

DENNIS RAY GRAVES,

Plaintiff - Appellant,

versus

RAY W. GRUBBS, Judge,

Defendant - Appellee.

Appeal from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, District Judge. (CA-99-MC-54-7)

Submitted: September 28, 1999

Decided: October 5, 1999

Before MURNAGHAN and WILLIAMS, Circuit Judges, and PHILLIPS, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Dennis Ray Graves, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Dennis Ray Graves appeals the district court's order dismissing without prejudice his "motion for review of state court decision with request for injunction order or other." We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we grant Graves' motion for leave to proceed in forma pauperis and affirm on the reasoning of the district court. See Graves v. Grubbs, No. CA-99-MC-54-7 (W.D. Va. June 21, 1999).*

We further construe Graves' letter of August 23, 1999, as a motion to stay state proceedings pending this appeal and deny such motion as moot. To the extent that Graves seeks to have this Court direct an action or outcome in state court, federal courts have no general power to compel action by state officials. See Davis v. Lansing, 851 F.2d 72, 74 (2d Cir. 1988); Gurley v. Superior Court of Mecklenburg County, 411 F.2d 586, 587 (4th Cir. 1969). We dispense with oral argument because the facts and legal contentions

* Although the district court's order is marked as "filed" on June 17, 1999, the district court's records show that it was entered on the docket sheet on June 21, 1999. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).

are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED